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Application No. 10/527,727

### CLAIMS

The following complete listing of claims will replace all prior versions, and listings, of claims in the application.

1. (currently amended) A spherical coated capsule comprising
  - (a) a coating-free capsule having (i) a liquid or viscous core and (ii) a seamless solid shell surrounding this core, and
  - (b) a seamless, solid coating surrounding said coating-free capsule, wherein
    - the diameter of the coated capsule is in the range of 5 - 9 mm,
    - the solid coating comprises at least one sugar or sugar-alcohol in an amount from about 30 - 90% (m/m), based on the total mass of the coated capsule,
    - the diameter of the coating-free capsule is in the range of 3 - 7 mm,
    - the thickness of the shell of said coating-free capsule is in the range of 20 -200  $\mu$ m,
    - the ratio of shell thickness to diameter of said coating-free capsule is in the range of 0.004:1 - 0.04:1 ,
    - the shell of said coating-free capsule contains 70 - 90 % (m/m) gelatine or alginate and 10 - 30 % (m/m) plasticiser, based on the solids content of said shell, and
    - the core has a flavouring content in the range of 1 - 100 % (m/m), based on the total mass of the core.
2. (previously presented) The spherical coated capsule according to claim 1, wherein an intermediate layer or intermediate layers are arranged between said shell and said coating, for improving the adhesion between shell and coating.
3. (previously presented) The spherical coated capsule according to claim 2, wherein the intermediate layer consists of (i) gum arabic, maltodextrin, starch, sugar, sugar alcohol, gelatine, or a mixture thereof, and, optionally, (ii) water.
4. (previously presented) The spherical coated capsule according to claim 1, the coating

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having one or more outer layers providing a smooth surface, the outer layer or layers consisting of (i) a sugar and/or sugar alcohol, and, optionally, water.

5. (currently amended) The spherical capsule according to claim 1 wherein
  - the diameter of the coating-free capsule is in the range of 4.5 - 6.5 mm, preferably 4.5 - 5.5 mm;
  - the thickness of the shell is in the range of 50 - 150  $\mu$ m, preferably 50 - 90  $\mu$ m;
  - the shell thickness to capsule diameter ratio is in the range of 0.01:1 - 0.03:1, preferably 0.01 - 0.02.
6. (previously presented) The spherical capsule according to claim 1 wherein the shell is prepared from a mixture containing gelatine and plasticiser which has a gel point in the range between 15 °C and 60 °C.
7. (currently amended) The spherical capsule according to claim 1 wherein [[a]] the gelatine comprises a gelatine having a Bloom value of at least 200.
8. (currently amended) The spherical capsule according to Claim 7, wherein ~~in addition~~ (b) the gelatine further comprises a gelatine having a Bloom value of 0, a and/or fish gelatine having a Bloom value of < 200, or both is used.
9. (currently amended) The spherical capsule according to claim 1, wherein the gelatine comprises a fish gelatine is a cold water fish gelatine and/or a fish gelatine having has a gel point of < 20 °C, or both.
10. (previously presented) The spherical capsule according to claim 1 wherein the liquid or viscous core contains a sweetener that has been selected from the group that consists of thaumatin, neohesperidine, miraculin and mixtures thereof.

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11. (currently amended) The spherical capsule according to claim 1 wherein the concentration of the plasticiser in the shell is 10 - 30 % (m/m) ~~preferably 15 - 20 % (m/m)~~, based on the total solids content of the shell.
12. (currently amended) The spherical capsule according to claim 1, wherein the plasticiser comprises one or more polyols ~~preferably~~ selected from the group that consists of glycerol, propylene glycol, sorbitol and maltitol.
13. (previously presented) The spherical capsule according to claim 1 wherein the gelatine has been selected from the group that consists of pig gelatine, cattle gelatine, chicken gelatine, fish gelatine and mixtures thereof.
14. (currently amended) The spherical capsule according to claim 1 wherein the shell contains a sweetener ~~that preferably has been~~ selected from the group that consists of sucralose, aspartame, acesulfame K, thaumatin, Na saccharine, neohesperidin and mixtures thereof.
15. (previously presented) The spherical capsule according to claim 1 wherein the shell contains gellan gum.
16. (previously presented) The spherical capsule according to claim 1 wherein the shell contains 0.4 - 3 % (m/m) gellan gum, based on the solids content of the shell.
17. (currently amended) A method for the preparation of a capsule according to claim 1, ~~one of the preceding claims, with the following steps comprising:~~
  - pumping a liquid or viscous core material and a gelatine or alginate-containing curable shell mixture simultaneously through a concentric multi-component nozzle so that they drip into a cooling liquid with the formation of a capsule,
  - drying said capsule, and

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- coating the resulting dried capsule, optionally only after applying an intermediate layer or intermediate layers to the dried capsule.

18. (previously presented) The spherical capsule according to claim 1, wherein the shell is prepared from a mixture containing gelatine and plasticiser which has a gel point in the range between 20 °C and 40 °C.
19. (previously presented) The spherical capsule according to claim 1, wherein the shell is prepared from a mixture containing gelatine and plasticiser which has a gel point in the range between 25 °C and 35 °C.
20. (currently amended) The spherical capsule according to claim 1, wherein a gelatine having a Bloom value in the range of 240 - 300, ~~is used for the preparation of the shell.~~